

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARIO J. REYES,	:	
	:	
Plaintiff,	:	
	:	23-CV-9297 (VSB)
-against-	:	
	:	<u>ORDER</u>
MCNALLY JACKSON GOODS FOR THE	:	
STUDY, LLC, a New York limited liability	:	
company, d/b/a GOODS FOR THE STUDY-	:	
NOLITA, and AGHAJUN HOLDINGS LLC, a	:	
New York limited liability company,	:	
	:	
Defendants.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on October 22, 2023, (Doc. 1), and filed affidavits of service on December 21, 2023, (Docs. 9, 10). The deadline for Defendants to respond to Plaintiff’s complaint was December 7, 2023. On January 22, 2024, I directed Plaintiff to seek default judgment by no later than February 5, 2024. (Doc. 11.) I warned, “If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).” (*Id.*) To date, Defendants have not appeared or responded to the complaint. Plaintiff, however, has not sought default judgment or taken any action to prosecute this case.

Accordingly, Plaintiff’s claims are dismissed without prejudice pursuant to Rule 41(b). The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: April 25, 2024
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, slightly stylized font. The first letter "V" is large and prominent. The signature is positioned above a horizontal line.

VERNON S. BRODERICK
United States District Judge